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Patent Docket P1042C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Robert A. Lazarus et al.
Serial No.: 10/005,306
Filed: 7 NOVEMBER 2001
For: HUMAN DNASE I HYPERACTIVE
VARIANTS

Group Art Unit: 1652

Examiner: NOT KNOWN

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on

February 11, 2002

Aida Guam
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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

37 CFR §1.97(b)

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

37 CFR §1.97(c)

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.

37 CFR §1.97(d)

02/25/2002 MWOLDER1 00000105 070630 10005306

01-FC:126 180.00 CH

Adjustment date: 02/26/2002 MWOLDER1
02/25/2002 MWOLDER1 00000105 070630 10005306
01-FC:126 180.00 CR

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) **and** a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- 37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- 37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified). A copy of the items on PTO-1449 is supplied herewith.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. , filed and relied upon in this application for an earlier filing date under 35 USC §120.

BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1- A-0" (nucleotide) and "BLAST Results B-1 - B-0" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

not given

given for each listed item

given for only non-English language listed item(s) [Required]

in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

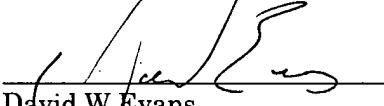
In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

By: 

David W Evans

Reg. No.*

Telephone No. (650) 225-1739

Date: February 11, 2002



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PATENT TRADEMARK OFFICE

* A copy of a document pursuant to 37 C.F.R. §101.9(b) is attached as proof of the authorization of the above to prosecute the attached application. The original of this document is on file in the Office of enrollment and Discipline.



FORM PTO-1449

U.S. Dept. of Commerce
Patent and Trademark OfficeAtty Docket No.
P1042C1Serial No.
10/005, 306

LIST OF DISCLOSURES CITED BY APPLICANT

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(Use several sheets if necessary)

Applicant

Robert A. Lazarus et al.

Filing Date

07 Nov 2001

Group

1652

FEB 27 2002 U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Date	Name	Class	Subclass	Filing Date
1	08/597,078					05.02.96

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No
2	PCT/US95/02366		PCT				
3	WO 90/07572	12.07.90	PCT				
4	WO 94/10567	11.05.94	PCT				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

5	Janmey J. <u>Biochem. Biophys. Methods</u> 22:41-53 (1991)
6	Kunitz, M., "Crystalline Desoxyribonuclease: I. Isolation and General Properties" <u>J. Gen. Physiol.</u> 33:349-362 (1950)
7	Kunitz, M., "Crystalline Desoxyribonuclease: II. Digestion of Thymus Nucleic Acid (Desoxyribonucleic Acid)" <u>J. Gen. Physiol.</u> 33:363-377 (1950)
8	Kurnick, N. B., "The Determination of Desoxyribonuclease Activity by Methyl Green; Application to Serum" <u>Arch. Biochem.</u> 29:41-53 (1950)
9	Lahm et al., "DNase I-induced DNA Conformation" <u>Journal Molecular Biology</u> 221:645-667 (1991)
10	Liao et al., "Bovine Pancreatic Deoxyribonuclease A" <u>Journal of Biological Chemistry</u> 248(4):1489-1495 (1973)
11	Oefner et al., "Crystallographic Refinement and Structure of DNase I at 2 A Resolution" <u>Journal Molecular Biology</u> 192:605-632 (1986)
12	Shak et al., "Recombinant Human DNase I Reduces the Viscosity of Cystic Fibrosis Sputum" <u>Proc. Natl. Acad. Sci. USA</u> 87(23):9188-9192 (Dec 1990)
13	Sinicropi et al., "Colorimetric Determination of DNase I Activity with a DNA-Methyl Green Substrate" <u>Analytical Biochemistry</u> 222:351-358 (1994)
14	Suck et al., "Structure of DNase I at 2.0 A Resolution Suggests a Mechanism for Binding To and Cutting DNA" <u>Nature</u> 321:620-625 (June 1986)
15	Suck et al., "Three-dimensional Structure of Bovine Pancreatic DNase I at 2.5 A Resolution" <u>EMBO Journal</u> 3(10):2423-2430 (1984)
16	Weston et al., "X-ray Structure of the DNase I-d (GGTATACC)2 Complex at 2.3 A Resolution" <u>J. Mol. Biol.</u> 226:1237-1256 (1992)
17	Worrall et al., "The Chemical Synthesis of a Gene Coding for Bovine Pancreatic DNase I and Its Cloning and Expression in Escherichia coli" <u>Journal Biological Chemistry</u> 265(35):21889-21895 (Dec 1990)

Examiner	Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.